

**DECISION**

**THE COMPTROLLER GENERAL  
OF THE UNITED STATES**  
WASHINGTON, D.C. 20548

26605

**FILE:** B-208768.3**DATE:** October 31, 1983**MATTER OF:** Maintenance Pace Setters, Inc.**DIGEST:**

Where award date was unavoidably delayed so as to shorten the performance period from 3 years to 2-1/2 years, award to the bidder evaluated as low under the performance period specified in the IFB, but not low under an evaluation based on the shorter performance period, is reasonable. Since bids must be evaluated on the basis set forth in the IFB, i.e., 3 years, the only alternative to award is a resolicitation, which would cost more than the difference between the low 3-year price and the bid that is low for the shorter period.

Maintenance Pace Setters, Inc. (MPSI) protests the award to Lifeco, Inc. of three line items of invitation for bids (IFB) No. F33601-82-B-9024, which was issued by the Department of the Air Force. The solicitation invited bids to supply janitorial services for the period from October 1, 1982 through September 30, 1983, with 2 option years. According to MPSI, however, award was delayed until March 15, 1983 by this Office's consideration of bid protests filed by other firms under the procurement. MPSI admits that Lifeco was the low bidder for the 3-year period contemplated in the IFB, but complains that MPSI's bid for the contract term of 2-1/2 years, \$1,283,697, was \$621 less than the actual contract price. On that basis, Lifeco believes it should receive the award.

There is no legal merit to the protest.

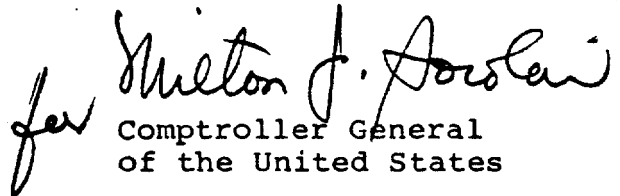
The Air Force could not award this contract to MPSI because the IFB provided that bids would be evaluated, and the contractor selected, based on the low 3-year cost to the government, and an agency cannot evaluate bids on any basis other than that set forth in the IFB. Refre and Associates, B-196097, April 25, 1980, 80-1 CPD 298, affd., B-196097.3, July 7, 1980, 80-2 CPD 13.

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As to whether award to Lifeco was proper under the circumstances, we recognize that an award should be made on the basis of the most favorable cost to the government measured by the work actually to be performed. See Chemical Technology, Inc., B-187940, February 22, 1977, 77-1 CPD 126. Thus, if award under an IFB's evaluation scheme would not result in the lowest cost to the government, the procuring agency generally should cancel the invitation and resolicit its requirement under evaluation criteria that assure a proper award. See Alliance Properties, Inc., B-203539, October 28, 1981, 81-2 CPD 357.

We do not, however, believe that this general rule should apply here to preclude award to Lifeco. The prices of all of the bidders had been exposed; the cause of the delay in award was protests to our Office; and MPSI's bid price for the 2-1/2 years was only \$621 less than the actual contract price, which clearly is less than the cost to the government of a resolicitation. Under these circumstances, we believe that the agency acted reasonably in making an award based on the solicitation's bid evaluation scheme. See Alliance Properties, Inc., *supra*; International Technical Services Corporation, B-198314, January 13, 1981, 81-1 CPD 18.

This protest is summarily denied.

*for*   
Comptroller General  
of the United States